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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 NICHOLAS BARKSDALE HOWARD,

10 Petitioner,

11 vs.

12 RENEE BAKER, et al.,

13 Respondents.
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Case No. 2:15-cv-02284-JCM-VCF

ORDER


15 Petitioner has submitted a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.
16 The court dismisses this action because petitioner did not pay the filing fee and because his
17 application to proceed in forma pauperis (#1) is incomplete, lacking a signed financial certificate
18 and a copy of his inmate account statement, as required by 28 U.S.C. § 1915(a)(2) and Local Rule
19 LSR 1-2. The court has reviewed the petition preliminarily, and the dismissal of this action would
20 not affect the timeliness of a subsequent petition 28 U.S.C. § 2244(d)(1), assuming that petitioner
21 promptly commences a new action with the required documents.

22 Reasonable jurists would not find the court's conclusion to be debatable or wrong, and the
23 court will not issue a certificate of appealability.

24 IT IS THEREFORE ORDERED that this action is **DISMISSED** without prejudice to
25 petitioner's commencement of a new action in which he either pays the filing fee in full or submits a
26 complete application to proceed in forma pauperis, accompanied by a signed financial certificate
27 and a statement of his inmate account. The clerk of the court shall enter judgment accordingly and
28 close this action.

1 IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

2 DATED: March 9, 2016.

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5 JAMES C. MAHAN
6 United States District Judge
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